

Committee Report

CONSENT CALENDAR

March 5, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Election Law to which was referred
HB 570,**

**AN ACT permitting certain political organizations to
appear on a general election ballot as a minor party
after holding a nominating convention. Having
considered the same, report the same with the following
resolution: RESOLVED, that it is INEXPEDIENT TO
LEGISLATE.**

Rep. James Qualey

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Election Law
Bill Number:	HB 570
Title:	permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.
Date:	March 5, 2021
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill proposes: 1) to add a provision to RSA 652:11 to allow a political organization to qualify as a party by receiving at least 4% of the votes cast for the office of President of the United States; 2) to amend RSA 655:42, III to change how a political organization's candidates are added to the ballot in state elections by allowing the substitution of \$5 filing fee for each name by which they fall short of the current requirement of 3% of the total votes cast in the previous state general election; and 3) to add a provision to RSA 655 allowing a political organization which did not win more than 4% of the vote in a state wide race to add its candidates to the ballot by holding a nominating convention and submitting its list of candidates for a general election within 3 days of the primary election for that general election. The Election Law Committee unanimously holds the view that current New Hampshire law provides ample opportunity for all political organizations to place their candidates on state ballots provided they have shown even a modest amount of support from the voters either through past election results or by submitting a sufficient number of nominating papers from registered voters.

Vote 20-0.

Rep. James Qualey
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Election Law

HB 570, permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention. **INEXPEDIENT TO LEGISLATE.**


Rep. James Qualey for Election Law. This bill proposes: 1) to add a provision to RSA 652:11 to allow a political organization to qualify as a party by receiving at least 4% of the votes cast for the office of President of the United States; 2) to amend RSA 655:42, III to change how a political organization's candidates are added to the ballot in state elections by allowing the substitution of \$5 filing fee for each name by which they fall short of the current requirement of 3% of the total votes cast in the previous state general election; and 3) to add a provision to RSA 655 allowing a political organization which did not win more than 4% of the vote in a state wide race to add its candidates to the ballot by holding a nominating convention and submitting its list of candidates for a general election within 3 days of the primary election for that general election. The Election Law Committee unanimously holds the view that current New Hampshire law provides ample opportunity for all political organizations to place their candidates on state ballots provided they have shown even a modest amount of support from the voters either through past election results or by submitting a sufficient number of nominating papers from registered voters. **Vote 20-0.**

Original: House Clerk

Cc: Committee Bill File

HB570, permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention. **MAJORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Jim Qualey for Election Law. This bill proposes: 1) to add a provision to RSA 652:11 to allow a political organization to qualify as a Party by receiving at least 4% of the votes cast for the office of President of the United States; 2) to amend RSA 655:42, III to change how a political organization's candidates are added to the ballot in state elections by allowing the substitution of \$5 filing fee for each name by which they fall short of the current requirement of 3% of the total votes cast in the previous state general election; and 3) to add a provision to RSA 655 allowing a political organization which did not win more than 4% of the vote in a state wide race to add its candidates to the ballot by holding a nominating convention and submitting its list of candidates for a general election within 3 days of the primary election for that general election. The majority of the Election Law Committee holds the view that current New Hampshire law provides ample opportunity for all political organizations to place their candidates on state ballots provided they have shown even a modest amount of support from the voters either through past election results or by submitting a sufficient number of nominating papers from registered voters.

Archived: Thursday, April 22, 2021 11:18:24 AM
From: [Barbara Griffin](#)
Sent: Sunday, March 7, 2021 9:26:35 PM
To: [Miriam Simmons](#)
Cc: [Bgriffinlo](#)
Subject: Fw: HB 570 Blurb
Response requested: No
Importance: Normal
Attachments:
[HB570 blurb_r1.doc](#) 

One blurb down!

From: Jim Qualey <Jim.Qualey@leg.state.nh.us>
Sent: Thursday, March 4, 2021 9:30 PM
To: Barbara Griffin <Barbara.Griffin@leg.state.nh.us>
Subject: HB 570 Blurb

Hi,

Here's the HB 570 blurb with the last sentence deleted, as you suggested today.

See you tomorrow,

Jim

Voting Sheets

HOUSE COMMITTEE ON ELECTION LAW

EXECUTIVE SESSION on HB 570

BILL TITLE: permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.

DATE: March 5, 2021

LOB ROOM: Remote / Hybrid

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Qualey

Seconded by Rep. Torosian

Vote: 20-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Natalie Wells, Clerk



2021 SESSION

Election Law

Bill #: 570 Motion: ITL AM #: _____ Exec Session Date: 3/5/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Griffin, Barbara J. Chairman	✓		
MacDonald, Wayne D. Vice Chairman	✓		
Prudhomme-O'Brien, Katherine J.	✓		
Sweeney, Joe	✓		
Hayward, Peter T.	✓		
Mooney, Maureen C.	✓		
Torosian, Peter E.	✓		
Berry, Ross	✓		
Groen, Fenton	✓		
Qualey, James R.	✓		
Wells, Natalie J. Clerk	✓		
Cote, David E.	✓		
Ward, Gerald W.R.	✓		
Bergeron, Paul R.	✓		
Sandler, Catt	✓		
Hamer, Heidi M.	✓		
Lane, Connie B.	✓		
Freitas, Mary C.	✓		
Hamblet, Joan L.	✓		
Muirhead, Russell	✓		
TOTAL VOTE:	20	0	

Hearing Minutes

HOUSE COMMITTEE ON ELECTION LAW

PUBLIC HEARING ON HB 570

BILL TITLE: permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.

DATE: February 17, 2021

LOB ROOM: LOB Hybrid **Time Public Hearing Called to Order:** 10:16 a.m.

Time Adjourned: 10:28 a.m.

Committee Members: Reps. B. Griffin, W. MacDonald, Wells, Prudhomme-O'Brien, Sweeney, Hayward, Mooney, Torosian, Berry, Groen, Qualey, Cote, Ward, Bergeron, Sandler, Hamer, Lane, Freitas, Hamblet and Muirhead

Bill Sponsors:

Rep. Abramson

Rep. Labranche

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

***Representative Max Abramson – Rockingham, Hampton, Hampton Falls and Seabrook.**

Recognize minority parties after having 500 people register for this political party. There really is a need for forming 3rd parties, either political organizations, needs 4%. In 2016 broke record, 1st time in 20 years the Libertarian party got on the ballot. They gathered 3,000-6,000 signatures, but this time, it was difficult due to COVID. See more Testimony.

Question: Representative Joe Sweeney – For a nominating convention, minor parties, how many people needed to make it recognized?

Answer: I originally introduced a previous version of this bill a few years ago. I think it was 100, but if had 500 registered voters, that would be significant. If the committee wants to set a number of people, I am fine with that.

Hearing adjourned: 10:28am

Respectfully submitted,
Representative Natalie Wells
Committee Clerk

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Max Abramson

ELECTION LAW PUBLIC HEARING

2/17/21

Hb570 – Permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.

Open: 10:15am

*Representative Max Abramson – Rockingham, Hampton, Hampton Falls and Seabrook. Recognize minority parties after having 500 people register for this political party. There really is a need for forming 3rd parties, either political organizations, needs 4%. In 2016 broke record, 1st time in 20 years the Liberterian party got on the ballot. They gathered 3,000-6,000 signatures, but this time, it was difficult due to COVID. See more Testimony.

Question: Representative Joe Sweeney – For a nominating convention, minor parties, how many people needed to make it recognized?

Answer: I originally introduced a previous version of this bill a few years ago. I think it was 100, but if had 500 registered voters, that would be significant. If the committee wants to set a number of people, I am fine with that.

Adjourned: 10:28am

Respectfully submitted,

Representative Natalie Wells

House Remote Testify

Election Law Committee Testify List for Bill HB570 on 2021-02-17

Support: 9 Oppose: 5 Neutral: 0 Total to Testify: 1

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>S</u>
Abramson, Max	Max.Abramson@leg.state.nh.us	An Elected Official	Myself	Support	Yes (4m)	2/
Horrigan, Rep. Timothy	timothyhorrigan@icloud.com	An Elected Official	Strafford 6	Oppose	No	2/
Groetzinger, Tonda	groetzinger6@aol.com	A Member of the Public	Myself	Support	No	2/
Richards, Matthew	mricha711@gmail.com	A Member of the Public	Myself	Support	No	2/
Fordey, Nicole	nikkif610@gmail.com	A Member of the Public	Myself	Support	No	2/
Frost, Sherry	sherry.frost@leg.state.nh.us	An Elected Official	Myself	Support	No	2/
Smith, Hayden	hasmith1520@gmail.com	A Member of the Public	Myself	Support	No	2/
Anastasia, Patricia	patti.anastasia@gmail.com	A Member of the Public	Myself	Oppose	No	2/
Lucas, Janet	janluca1953@gmail.com	A Member of the Public	Myself	Oppose	No	2/
Thomas, Elaine	thomas.marshall@comcast.net	An Elected Official	Myself	Oppose	No	2/
ARONSON, LAURA	laura@mlans.net	A Member of the Public	Myself	Support	No	2/
Mennella, Alexandra	amennella1@protonmail.com	A Member of the Public	Myself	Oppose	No	2/
Hayden, Sam	hayden.sam@gmail.com	A Member of the Public	Myself	Support	No	2/
See, Alvin	absee@4Liberty.net	A Member of the Public	Myself	Support	No	2/

Testimony

Bill as
Introduced

HB 570 - AS INTRODUCED

2021 SESSION

21-0288

10/06

HOUSE BILL **570**

AN ACT permitting certain political organizations to appear on a general election ballot as a minor party after holding a nominating convention.

SPONSORS: Rep. Abramson, Rock. 37; Rep. Labranche, Hills. 22

COMMITTEE: Election Law

ANALYSIS

This bill permits certain political organizations to be called a minor party and appear on a general election ballot after holding a nominating convention. This bill also allows political organizations to be a party by receiving 4 percent of votes cast for President of the United States, and allows a political organization to pay a fee in order to meet requirements for candidate nomination papers.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 570 - AS INTRODUCED
- Page 2 -

1 I. Declarations of intent for political organizations shall be in the following form and signed
2 by the chairman of the political organization:

3 I, _____, chairman of the _____ organization hereby declare that
4 the _____ organization intends to seek placement on the ballot by nominating convention in
5 accordance with RSA 655:45-b.

6 II. At the time of filing the declaration of intent, the chairman of the political organization
7 shall submit a list of the offices for which it intends to file candidates and the names of the
8 candidates for those offices. In addition, each candidate shall file a declaration of candidacy. The
9 declaration of candidacy shall be in the form provided by RSA 655:45-f. If the political organization
10 is not certified in accordance with RSA 655:45-d, any declarations of candidacy filed for that political
11 organization shall be void.

12 655:45-d State Primary Election; Certification.

13 I. Upon closing of the polls at a state primary election, the secretary of state shall count the
14 total number of voters in the state who are affiliated with any political organization seeking
15 placement on the general election ballot pursuant to this subdivision.

16 II. If, upon completion of that state primary election, at least 500 voters throughout the
17 state have declared affiliation with any one political organization seeking placement on the general
18 election ballot as a minor party pursuant to this subdivision, the secretary of state shall include that
19 political organization's list of candidates on the ballot for the immediately following general election
20 as a minor party.

21 655:45-e Nominating Convention; Restrictions.

22 I. No candidate who intends to run for any state, county, local, or federal office in the state
23 general election pursuant to this subdivision shall have his or her name placed on the ballot unless
24 the candidate files a declaration of candidacy, as provided in RSA 655:45-f. Any person who files on
25 the last day of the filing period must do so in person before the secretary of state.

26 II. No candidate who filed as a candidate in the state primary election shall be eligible to
27 have his or her name placed on the ballot for the state general election as provided in this
28 subdivision.

29 III. No candidate shall be placed on the ballot at the state general election pursuant to this
30 subdivision unless the candidate shall have met the age and domicile requirements for the office he
31 or she seeks at the time of the general election and meets all the other qualifications at the time of
32 filing; and if a candidate for the office of governor, executive councilor, state senator, or state
33 representative, unless the candidate shall file an affidavit of qualifications as provided in RSA
34 655:28 and 655:29; and if a candidate for United States senator or United States representative,
35 unless the candidate shall meet the qualifications for office under RSA 655:3 and RSA 655:4.

HB 570 - AS INTRODUCED

- Page 3 -

1 655:45-f Declaration of Candidacy; Nominating Convention. Declarations of candidacy for
2 candidates seeking placement on the ballot at a state general election pursuant to this subdivision
3 shall be in the following form and signed by the candidate:

4 I, _____, declare that I am domiciled in Ward ____, in the city (or town or unincorporated
5 place) of _____, county of _____, state of New Hampshire, and am a
6 registered voter herein; that I am a registered member of the _____ party; that I am a
7 candidate for the office of _____ to be chosen at the general election to be held on the
8 _____ day of _____. I further declare that, if qualified as a candidate for said office, I
9 shall not withdraw; and that, if elected, I shall be qualified for and shall assume the duties of said
10 office. If I have been convicted of a felony, I declare that I have completed my sentence as required
11 in RSA 607-A:2.

12 4 Effective Date. This act shall take effect 60 days after its passage.